

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**MATTHEW ORSO as Successor  
Trustee to Kenneth D. Bell in his  
Capacity as Court-appointed  
Receiver for Rex Venture Group, LLC,**

**Plaintiff,**

**v.**

**Case No.: 8:21-mc-68-TPB-AAS**

**MISAEEL JARAMILLO PARRA,**

**Defendant.**

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**ORDER**

Nationwide Judgment Recovery, Inc. (NJR), as assignee of Matthew Orso, moves the court, under Rule 69 of the Federal Rules of Civil Procedure and Florida Statutes § 77.01 et seq., to issue a continuing writ of garnishment against Snap-On Incorporated, the alleged employer of Misael Jaramillo Parra, for a judgment owed by Mr. Parra. (Doc. 13).

Rule 69 provides that a money judgment is enforced by a writ of garnishment. Fed. R. Civ. P. 69(a)(1). “The procedure on execution . . . must accord with the procedure of the state where the court is located, but a federal statute governs to the extent it applies.” *Id.* Florida law provides a right to a writ of garnishment to judgment creditors to help satisfy a money judgment.

Fla. Stat. § 77.01. To obtain a writ of garnishment, the judgment creditor must file a motion stating the amount of the judgment. Fla. Stat. § 77.03. The writ must direct the garnishee to answer the writ within twenty days and state the amount named in the judgment creditor's motion. Fla. Stat. § 77.04.

The judgment creditor may request the issuance of a continuing writ of garnishment where the judgment debtor's salary or wages are to be garnished to satisfy a judgment. Fla. Stat. § 77.0305. A continuing writ of garnishment grants the "periodic payment of a portion of the salary or wages of the judgment debtor as the salary or wages become due until the judgment is satisfied." *Id.* "Continuing writs are subject to certain exemptions, if applicable." *Orso v. Shank*, No. 8:21-mc-VMC-JSS, 2022 WL 281273, at \*1 (M.D. Fla. Jan. 31, 2022) (citing Fla. Stat. § 77.041).

On August 14, 2017, the United States District Court for the Western District of North Carolina entered judgment against Mrs. Gomez in the amount of \$4,186.03, plus accruing post-judgment interest. (Doc. 1, Ex. 1; Doc. 13, p. 2). On April 28, 2021, Mr. Orso registered the judgment in this court. (Doc. 1). According to NJR's motion, this amount remains unpaid.

NJR's Motion for Continuing Writ of Garnishment (Doc. 13) is **GRANTED**. The Clerk of Court shall issue a writ of garnishment to the named garnishees using the forms attached to NJR's motion and the address for the

garnishee contained in the forms (Doc. 13, Ex. 1). NJR must include with the writ copies of:

- a. NJR's Motion for Writ of Garnishment (Doc. 13),
- b. this Order, and
- c. NJR's Registration of Foreign Judgment (Doc. 1).
- d. NJR's Notice of Defendant (Doc. 13, Ex. 2).

**ORDERED** in Tampa, Florida on February 22, 2022.

A handwritten signature in black ink, reading "Amanda Arnold Sansone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

AMANDA ARNOLD SANSONE  
United States Magistrate Judge